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MAY 15 2006

OFFICE OF PETITIONS

In re Application of :
Robert Zeller, et al. :
Application No. 10/733,218 :
Filed: December 11, 2003 :
Attorney Docket No. 126457.101 :
:

DECISION ON PETITION
TO WITHDRAW
FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed September 16, 2005.

The request is **NOT APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request cannot be approved because no reasons for withdrawal have been provided. The Office cannot, at this time, determine whether practitioner's request is one of the mandatory or permissive reasons enumerated in 37 CFR 10.40. Any subsequent requests must include reasons for withdrawal. Please note that there is a space provided for on PTO/SB/83 (Request to Withdraw as Attorney or Agent) to supply practitioner's reasons.

While assignee attempted to intervene in the above-identified application, the power of attorney filed September 29, 2005 does not comply with 37 CFR 3.73(b) in that the reel and frame number where the recorded assignment appears in the assignment records of the USPTO has not been provided. Therefore, in order for the power of attorney to be acceptable, compliance with 37 CFR 3.73(b) must be satisfied. A form for complying with the provisions of 37 CFR 3.73(b) may be found on the USPTO.gov website (Form No. PTO/SB/96). A courtesy copy of this decision is being mailed to the address noted in the power of attorney filed September 29, 2005.

Telephone inquiries concerning this decision should be directed to Sherry D. Brinkley at (571) 272-3204.



Sherry D. Brinkley
Petitions Examiner
Office of Petitions

Conferee: Amelia Au 

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